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OFFICE OF PETITIONS

In re Application of
Scott C. Anderson et al.
Application No. 09/507,336
Filed: February 18, 2000
Attorney Docket No. 003-005CP

ON PETITION

This is a decision on the petitions under 37 CFR 1.137(b), filed March 6, 2003 (certificate of mailing of February 14, 2003) and filed March 31, 2003 (certificate of mailing of March 21, 2003), to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office Action mailed October 18, 2001, which set a shortened statutory period for reply of one (1) month. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became technically abandoned on November 19, 2001. A Notice of Abandonment was mailed October 23, 2002.

Applicant's submission of a check for \$1300.00 in payment of the petition fee by a large entity in the second petition filed March 21, 2003 was unnecessary and will be credited to petitioner's deposit account.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Since the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), the statement contained in the instant petition is being construed as the statement required by 37 CFR 1.137(b)(3) and petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of address should be filed in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

Telephone inquiries concerning this decision should be directed to Phillip Gambel at (703) 305-4066.

The application file is being forwarded to Technology Center 1600, Art Unit 3739, for further processing to the applicant's response to the restriction requirement, filed March 6, 2003 and March 31, 2003.

E Shirene Willis

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